

RESOLUTION: R-04-14

ADOPTED: 11-12-14

BOROUGH OF RIEGELSVILLE
PO BOX 551
RIEGLSVILLE, PA 18077

WHEREAS, PennEast Pipeline Company, LLC, a joint project of AGL Resources, NJR Pipeline Company, a subsidiary of New Jersey Resources, South Jersey Industries, and UGI Energy Services, a subsidiary of UGI Corporation, has proposed the construction of a new pipeline for the transfer and deliver of natural gas generated by deep well “fracking” in areas of Marcellus Shale in Pennsylvania; and

WHEREAS, the proposed pipeline is approximately one hundred (100) miles long and constructed of thirty six inch (36”) buried pipe crossing parts of Luzerne, Carbon, Northampton and Bucks Counties in Pennsylvania and Hunterdon and Mercer Counties in New Jersey; and

1. WHEREAS, as currently proposed, the pipeline cuts through Riegelsville Borough The proposed route of the buried pipeline crosses the watershed of Cooks Creek, designated as both an EV1 (Exceptional Value) stream, and also listed as a critical treasure of the Federal Open Space program designated by the United States Forest service as the Pennsylvania Highlands. The pipeline route would be less that ¼ mile away from the stream at Riegelsville, and
2. WHEREAS, the pipeline is planned to transport approximately one billion cubic feet of natural gas per day, and
3. WHEREAS, the pipeline is planned to be operational on or about November 1, 2017, and
4. WHEREAS. On October 7, 2014, PennEast requested that the Federal Energy Regulatory Commission (FERC) initiate an environmental review under the National Environmental Policy Act (NEPA) pre-filing process, and
5. WHEREAS, FERC has selected Tectra Tech as the third-party contractor to prepare the National Environmental Policy Act documentation, and
6. WHEREAS, PennEast intends to file a formal application with FERC on or before July, 2015, and
7. WHEREAS, the pre-filing process and formal application process both provide opportunities for public input and intervention, and
8. WHEREAS, on September 4, 2014, PennEast representatives met with Riegelsville Borough Council President, Borough Mayor and Council member in charge of Community Affairs committee to discuss their plans, and

9. WHEREAS, the proposed removal of trees and vegetation around the Cooks Creek area will result in loss of sediment filtration thereby causing sediment buildup in the waterway. Also affected by the proposed pipeline will be a natural storm water feed to Cooks Creek. Any distress caused to this stream and its surrounding area would have a direct deleterious effect. The loss of quality of the water in this stream would in turn impact the water in the Delaware River, the source of drinking water for millions of residents in Pennsylvania and New Jersey, and
10. WHEREAS, the proposed route of the pipeline is such that it would be buried in cleared land underlain by limestone which is already inclined to sinkholes. The pathway also includes two fracture traces within the borough and two fracture traces outside of the borough. This unstable geological and soil quality is unfit for the placement of said pipeline, would establish a precarious scenario, exerting undue stress upon said pipeline which would carry 1480 psi of pressurized natural gas; endangering not only land and animals, but endangering the lives of all the residents of the Borough, and
11. WHEREAS, the proposed route crosses or abuts properties that were purchased with funds set aside for the adjoining Township's and Borough's open space or preserved farm land plan. The intent of these projects is to encourage open space for wildlife, farming and human enjoyment and it explicitly forbids the use of this land for development, and
12. WHEREAS, the proposed route of this pipeline is ¼ mile away from 3 houses of worship and their congregations, 1 nursery school, the Riegelsville Library, the Riegelsville Firehouse, and a cemetery where veterans of the Civil War are interred. The proposed pipeline of Class 2 distinction with regards to thickness of pipe only and Class 1 in safety regulations is wholly inadequate for a community such as ours. The houses of worship have a congregation of 300 each. In addition, the Firehouse doubles as a community center and regularly hosts community events, as does the Historic Riegelsville library. The safety considerations of this proposed pipeline is wholly inadequate for this community, and
13. WHEREAS, the proposed route of this pipeline must cross the Delaware Canal which is a State Park and passes through Riegelsville, in order to get to the Delaware River. The Delaware Canal is enjoyed by an estimated 3,400 and 12,000 people a month, dependent upon the season. Again the proposed pipeline with its safety regulations of the Class 2 pipe and distinctions of Class 1 pipeline safety regulations are wholly inadequate for and would represent an undue risk for the number of people that traverse the area, and
14. WHEREAS, the pipeline route comes perilously close to unique examples of historic architecture. There are several historic Limestone Kilns near the proposed route of the pipeline. The Borough of Riegelsville is listed on the Delaware and Lehigh Valley National Historic Corridor, and

15. WHEREAS, the proposed route of the pipeline extends into an area which is a flood plain. In the years between 2004 and 2006 Riegelsville and the surrounding area experienced three 100 year floods in which the river and the canal joined and in turn flooded Route 611 which runs through the Borough. According to FEMA, National Flood insurance claims paid to Bucks County amounted to 18 million for 2004, 23 million for 2005 and 30 million for 2006. Evacuation during each of these floods was more than 6000 people in Bucks County. These floods also devastated river banks and shifted massive amounts of soil rock and sediment, exposing vast expanses of land mass in one area and covering other areas. Roads were impassable; guardrails were broken into shreds. To put a pipeline in this unpredictably violent, flood prone area exposes the residents of our borough to an exponentially increased danger to both property and life when a flood of this magnitude occurs, and
16. WHEREAS, during the years mentioned above, local businesses were severely and adversely affected by the flood. To ask these same businesses to go through 8-12 months of a massive construction project after these communities just got back on solid economic ground would be untenable, and
17. WHEREAS, the proposed route of this pipeline would directly affect property values by decreasing the value of homes in the area. This decrease would be two fold; first it would eviscerate qualities which have proven to increase property values, such as living near a state park, living near open lands, living near a high quality water source coupled with the negative impact of living near a 36 inch pipeline would devastate home values, thereby lowering the tax base for the Borough, and
18. WHEREAS, the proposed pipeline route and the construction of possible compressor stations along the way will impact ground water that Riegelsville residents depend on for domestic consumption, wetlands, springs, and vernal ponds, all of which are highly valued by residents and visitors, are necessary for Riegelsville Borough's way of life, and are irreplaceable, and
19. WHEREAS, the proposed route of the pipeline may invade habitats of species protected by the Endangered Species Act, such as eagles, the bog turtle, the long tailed salamander, and various plants and other animals protected by federal and state law; the proposed route will come within 50 feet of an active Osprey nest, and
20. WHEREAS, the local fire company is a volunteer organization and like all volunteer fire companies is not prepared with equipment or training to handle pipeline leakage or rupture of this kind that would be possible with this pipeline and does not have the capacity to provide that equipment or training.

NOW, THEREFORE, BE IT RESOLVED by the Riegelsville Borough of Bucks County Pennsylvania as follows:

1. The Riegelsville Borough Council does hereby object to the design and construction of a 36 inch natural gas pipeline passing through and under Riegelsville Borough. The construction and operation of the pipeline will significantly damage protected streams, wildlife habitat, existing farm operations, and the quality of life in Riegelsville Borough.
2. The Riegelsville Borough Council calls for a moratorium on any and all planning for the PennEast Pipeline and requests that any such project, if approved, be removed from the pristine reaches of Luzerne, Carbon, Northampton and Bucks Counties in Pennsylvania and Hunterdon and Mercer Counties in New Jersey
3. The Riegelsville Borough Council seeks the cooperation of other similarly located and affected municipalities, asking that all nearby affected municipalities adopt a similar resolution.
4. The Riegelsville Borough Council adopts, and calls upon similarly situated municipalities to adopt a resolution authorizing each municipality to join together to enter their appearance in any proceeding before the Federal Energy Regulatory Commission (FERC) the Delaware River Basin Commission, the Pennsylvania Public Utility Commission, and any other regulatory authority, so that by the strength of numbers they may successfully oppose the PennEast Pipeline project and have the ability to cause the relocation or termination of the project so as to prevent environmental degradation and to project the environment envisioned by the State of Pennsylvania.

Borough of Riegelsville

By _____

Council President

Attest:

Secretary